HONOURABLE SRI JUSTICE D.S.R.VARMA
AND
HONOURABLE SRI JUSTICE P.SWAROOP REDDY

TAKEN UP WRIT PETITION NO.11887 OF 2006

Dated:22.06.2006

Syed Yousuf

…Petitioner

The Station House Officer, Task Force Police Station, Hyderabad and two others.

…Respondents

HONOURABLE SRI JUSTICE D.S.R.VARMA
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ORAL ORDER: *(per Hon'ble Sri Justice D.S.R.Varma)*

Heard the learned Assistant Government Pleader, representing the learned Advocate General, appearing for the respondents.

2. This writ petition is taken up on the basis of a fax message, dated 13.06.2006, sent to this Court by one Syed Yousuf, Resident of Jawaharnagar, Hyderabad,

inter alia, complaining that on 12.06.2006, at about 1.30 p.m., his son by name Syed Basheer was illegally taken away by the Police of Task Force Police Station, Hyderabad, and he is apprehending danger to his son's life.

3. Upon receipt of notice from this Court, the second respondent-Inspector of Police, Santoshnagar Police Station, Hyderabad, who is well acquainted with the facts of this case, filed counter-affidavit stating, *inter alia*, that the alleged detenu is not required in any case pending with their Police Station, and as such, the Police of Task Force Police Station, Hyderabad, never apprehended the alleged detenu; that on the intervening night of 12/13.06.2006, at about 1.00 hours, one Syed Yousuf, Son of Nizamuddin, presented a written complaint that his son by name Syed Basheer was taken away by two unknown persons from their house at Jawaharnagar, Santoshnagar, Hyderabad, at 12 hours and basing on the same, a case in Crime No.140 of 2006 was registered for the offence under Section-363 I.P.C; that during the course of investigation, he received information from Maheswaram Police Station, Cyberabad, to the effect that on 14.06.2006, the alleged detenu was apprehended by them in connection with Crime No.108 of 2006 of Maheswaram Police Station, which was registered for the

offences under Section-27 of Arms Act and Section-120-B I.P.C; that basing on the relevant records, which were secured by him from Maheswaram Police Station, the present counter affidavit has been filed.

4. It is further stated in the counter affidavit that the alleged detenu was found along with another person, under suspicious circumstances, moving towards Hyderabad, who upon examination, confessed that they hatched a plan to kill the Sarpanch of Maheswaram and were waiting there for the Sarpanch; that thereafter, they were taken to Maheswaram Police Station and were produced before the Station House Officer along with a special report, basing on which, a case in Crime No.108 of 2006 was registered; that after issuing the arrest memos, duly informing the grounds of arrest and also after serving a notice under Section-50 of the Code of Criminal Procedure, the accused including the alleged detenu were taken into custody and were produced before the IV Metropolitan Magistrate, Cyberabad at Ibrahimpatnam on the same day and the learned Magistrate remanded the alleged detenu to judicial custody for 14 days and consequently, he was lodged at Central Prison, Cherlapalli and was subsequently released on bail on 16.06.2006.

5. Having regard to the particulars and information furnished by the second respondent in the counter-affidavit, we do not find any merit in the writ petition and the same is liable to be closed.

6. Accordingly, the writ petition is closed at the stage of admission.

D.S.R.VARMA, J

22.06.2006
DR

P.SWAROOP REDDY, J